

UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF SOUTH CAROLINA
FLORENCE DIVISION

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|---|---|---------------------------------|
| George Cleveland, III, |) | Civil Action No.: 4:14-2444-RBH |
| |) | |
| |) | |
| Plaintiff, |) | |
| |) | |
| v. |) | ORDER |
| |) | |
| Warden Willie Eagleton, <i>individually and in his official capacity</i> ; Associate Warden |) | |
| Roland McFadden, <i>individually and in his official capacity</i> ; Officer M. Thomas; |) | |
| Unknown Nurse Manager; and Unknown |) | |
| Medical Doctor, |) | |
| |) | |
| Defendants. |) | |
| |) | |

Plaintiff George Cleveland, III, currently incarcerated at Tyger River Correctional Institution and proceeding *pro se*, brought this action pursuant to 42 U.S.C. § 1983. This matter was summarily dismissed on March 7, 2016. [ECF #148]. Plaintiff has filed a Motion for Printing of the Record, pursuant to 28 U.S.C. § 1915(c), in order to prepare an appeal to the Fourth Circuit Court of Appeals. Along with his motion, Plaintiff has provided an affidavit and a document titled Financial Certificate showing that he does not have any resources within his inmate account to pay for the printing of the record. [ECF #151-1].

28 U.S.C. § 1915(c) provides that upon the filing of an affidavit showing a statement of all assets a prisoner possesses, along with a certified copy of his trust account statement for the six-month period immediately preceding the filing of his complaint, the court may direct the United States to pay the expense of printing the record on appeal, *if required by the appellate court*. 28 U.S.C. § 1915(c)

(emphasis added). In Plaintiff's motion, he requests the record be printed because the record will "help the Fourth Circuit understand all my arguments with supporting documents. [ECF #151, p. 4]. A review of the Fourth Circuit Court of Appeals Docket shows receipt of the electronic record of this case on April 13, 2016. [Docket #16-6527, ECF #4]. Thus, it appears from the docket that the Fourth Circuit has already received the record in this case. Therefore, this Court finds that the appellate court does not require the printing of the record in this case as it already has the record, and accordingly, denies Plaintiff's motion.

Conclusion

The Court has thoroughly reviewed Plaintiff's motion and attached exhibits. For the reasons stated above, this Court **DENIES** Plaintiff's motion for the printing of record. [ECF #151].

IT IS SO ORDERED.

Florence, South Carolina
December 7, 2016

s/ R. Bryan Harwell
R. Bryan Harwell
United States District Judge